

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

ANDREA MERCIER,

Plaintiff,

v.

ANTONIO L. NICOLIA,

Defendant.

Index # /2019

Date Filed: Nov 21, 2019

SUMMONS

Plaintiff designates Suffolk County as the place of trial. The basis of venue is Plaintiff's and Defendant's residences.


TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED, to answer the Complaint in this action and to serve a copy of your Answer or, if the Complaint is not served with this Summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: Mount Sinai, New York
November 21, 2019

Yours, etc.,

By:



Raymond Negron, Esq.
Attorney for Plaintiff
234 North Country Road
Mount Sinai, New York 11766
(631) 928-3244

Defendants' Addresses:

103 Davison Lane West
West Islip, New York 11795

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK-----X
ANDREA MERCIER,

Plaintiff,

**VERIFIED
COMPLAINT**

-against-

ANTONIO L. NICOLIA,

Index # /2019

Defendant.

Filed: November 21, 2019
-----X

Plaintiff, by her attorney RAYMOND NEGRON, ESQ, complaining of the Defendant
alleges as follows:

1. At all times relevant to this action, ANDREA MERCIER ("Plaintiff") was and is a resident of Suffolk County, New York State.
2. At all times relevant to this action, ANTONIO NICOLIA ("Defendant") was and is a resident of Suffolk County, New York State.
3. That the acts alleged herein took place in Suffolk County, New York State.
4. That Plaintiff was born on April 10, 1970.
5. Defendant was born more than ten years before Plaintiff.
6. At frequent times beginning in 1982 and ending in/or about 1984, the Defendant had forcible sexual contact with the Plaintiff and otherwise assaulted the Plaintiff.
7. The aforementioned sexual conduct included, but was not limited to, attempted intercourse, fellatio, touching, and forcible sexual touching upon the Plaintiff by the Defendant.

8. The Plaintiff did not consent to Plaintiff's conduct and did not have the capacity to consent to the alleged conduct.

9. That the Defendant has threatened the Plaintiff in order to prevent her (Plaintiff) from pursuing legal action against him (Defendant).

AS AND FOR A FIRST CAUSE OF ACTION

10. Plaintiff repeats each and every allegation made herein with the same full force and effect.

11. At frequent times between 1982 and 1984 the Defendant maliciously and wantonly, with force and violence, indecently assaulted and touched the Plaintiff and had forcible fellatio and sexual touching with her against her will, without any actual or legal consent, and in spite of her verbal and physical resistance to the utmost of her ability.

12. As a result of such assault, Plaintiff suffered great pain and was caused to expend large sums of money for psychiatric therapy, all to her damage in the amount of FIVE MILLION (\$5,000,000.00) DOLLARS.

AS AND FOR A SECOND CAUSE OF ACTION

13. Plaintiff repeats each and every allegation made herein with the same full force and effect.

14. By acting with such outrageous conduct toward Plaintiff, the Defendant intentionally inflicted severe emotional distress upon Plaintiff and acted with conscious disregard for Plaintiff's rights, safety, and well being and intentionally inflicted severe emotional distress upon Plaintiff, all to her damage in the amount of FIVE MILLION (\$5,000,000.00)

DOLLARS.

AS AND FOR A THIRD CAUSE OF ACTION

15. Plaintiff repeats each and every allegation made herein with the same full force and effect.

16. By acting with such outrageous conduct toward Plaintiff, the Defendant negligently inflicted severe emotional distress upon Plaintiff and acted with conscious disregard for Plaintiff's rights, safety, and well being and intentionally inflicted severe emotional distress upon Plaintiff, all to her damage in the amount of FIVE MILLION (\$5,000,000.00)

DOLLARS.

AS AND FOR A FOURTH CAUSE OF ACTION

17. Plaintiff repeats each and every allegation made herein with the same full force and effect.

18. Defendant's conduct complained of herein has caused the Plaintiff to expend large sums of money for psychiatric therapy and will cause the Plaintiff to expend large sums of money in the future, all to her damage in a sum of money to be determined by a jury, but in excess of FIVE MILLION (\$5,000,000.00) DOLLARS.

AS AND FOR A FIFTH CAUSE OF ACTION

19. Plaintiff repeats each and every allegation made herein with the same full force and effect.

20. From the time of the first incident of sexual assault in or around 1981 through in or

around 1995, Defendant threatened Plaintiff with death and/or serious bodily harm in an effort to keep her from reporting any of his conduct alleged herein.

21. In and by acting as alleged herein, Defendant violated the Plaintiff's civil and Constitutional rights and violated the public policies of the State of New York, all to her damage in the amount of TEN MILLION (\$10,000,000.00) DOLLARS in punitive damages.

AS AND FOR A SIXTH CAUSE OF ACTION

22. Plaintiff repeats each and every allegation made herein with the same full force and effect.

23. In and by acting as alleged herein, Defendant violated the Plaintiff's civil and Constitutional rights and violated the public policies of the State of New York, all to her damage in the amount of TEN MILLION (\$10,000,000.00) DOLLARS in punitive damages.

AS AND FOR A SEVENTH CAUSE OF ACTION

24. Plaintiff repeats each and every allegation made herein with the same full force and effect.

25. That the Defendant held the Plaintiff against her will, restraining and restricting her liberty and confining her without her consent for the purpose of performing sexual acts upon her without any consent, all to her damage in the amount of FIVE MILLION (\$10,000,000.00) DOLLARS.

AS AND FOR AN EIGHTH CAUSE OF ACTION

25. Plaintiff repeats each and every allegation made herein with the same full force and

effect.

26. In and by acting as alleged herein, Defendant violated the due process rights of the Plaintiff by failing to provide her with adequate care as a child and thereby damaged her in the amount of TEN MILLION (\$10,000,000.00) DOLLARS in punitive damages.

AS AND FOR AN NINTH CAUSE OF ACTION

27. Plaintiff repeats each and every allegation made herein with the same full force and effect.

28. That Defendant, through this acts alleged herein, negligently caused physical and emotional trauma and damage to the Plaintiff which she has sustained and will continue to sustain causing her damage in the amount of TEN MILLION (\$10,000,000.00) DOLLARS.

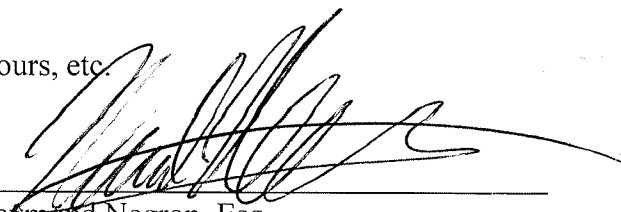
WHEREFORE, Plaintiff demands judgment against Defendant as follows:

- a. The sum of FIVE MILLION (\$5,000,000.00) DOLLARS on the first cause of action;
- b. The sum of FIVE MILLION (\$5,000,000.00) DOLLARS on the second cause of action;
- c. The sum of FIVE MILLION (\$5,000,000.00) DOLLARS on the third cause of action;
- d. The sum of FIVE MILLION (\$5,000,000.00) DOLLARS on the fourth cause of action;
- e. The sum of TEN MILLION (\$10,000,000.00) DOLLARS on the fifth cause of action;
- f. The sum of TEN MILLION (\$10,000,000.00) DOLLARS on the sixth cause of action;
- g. The sum of TWO MILLION (\$5,000,000.00) DOLLARS on the seventh cause of action.
- h. The sum of TEN MILLION (\$10,000,000.00) DOLLARS on the eighth cause of action;

- i. The sum of TEN MILLION (\$10,000,000.00) DOLLARS on the ninth cause of action.

Dated: Mount Sinai, New York
November 21, 2019

Yours, etc.




Raymond Negron, Esq.
234 North Country Road
Mount Sinai, New York 11766
(631) 928-3244

CLIENT VERIFICATION

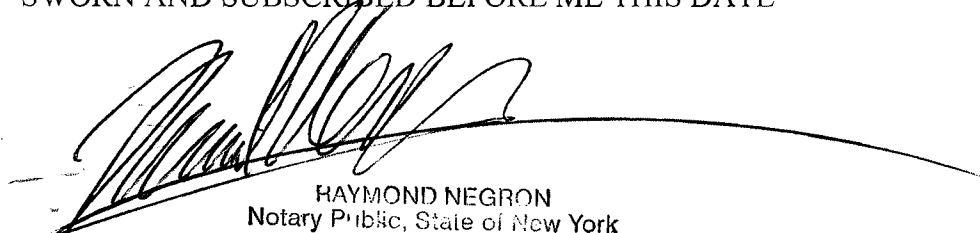
I, ANDREA MERCIER, have read the annexed **COMPLAINT** and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records and other pertinent information contained in my files.

DATED: Mount Sinai, New York
November 21, 2019



ANDREA MERCIER

SWORN AND SUBSCRIBED BEFORE ME THIS DATE


RAYMOND NEGRON
Notary Public, State of New York
No. 02NE0072165
Qualified in Suffolk County
Commission Expires April 1, 20 22

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SUPREME COURT OF THE STATE OF NEW YORK
SUFFOLK COUNTY

NICOLE S. MURRAY,

Plaintiff(s),

-against-

ANTONIO L. NICOLIA,

Defendant(s)

VERIFIED COMPLAINT

RAYMOND NEGRON, ESQ.

Attorney for Plaintiffs
234 North Country Road
Mount Sinai, New York 11766
(631) 928-3244